



DECISIONS, NOTICES AND ORDERS

Monday, January 14, 2019

The Supreme Court of Appeals of West Virginia has taken action in the following cases. This list contains only the action taken by the Court, not the content or actual date of orders or decisions.

MEMORANDUM DECISIONS

In accordance with Rule 21, memorandum decisions were entered in the following cases:

State of West Virginia v. Robert Blake, No. 17-0920 (Morgan 16-F-47)
Affirmed (5-0)

State of West Virginia v. Megan Stewart, No. 18-0006 (Pocahontas 13-F-42)
Affirmed (5-0)

State of West Virginia v. Edward H., No. 17-1116 (Berkeley 16-F-30)
Affirmed (5-0)

In Re: T.H., No. 18-0719 (Mercer 11-JA-234)
Affirmed (5-0)

In Re: L.C., No. 18-0777 (Kanawha 18-JA-164)
Affirmed (5-0)

State of West Virginia v. Iran G., No. 17-0780 (Marion 16-F-89)
Affirmed (5-0)

In Re: J.M., No. 18-0604 (Taylor 17-JA-79)
Affirmed (5-0)

In Re: S.S., No. 18-0733 (Webster 17-JA-48)
Affirmed (5-0)

In Re: N.B., I.L., C.C., and C.C., No. 18-0792 (Ohio 18-CJA-27 through 30)
Affirmed (5-0)

State of West Virginia v. Justin Hobday, No. 17-1036 (Morgan CC-2016-F-58)
Affirmed (5-0)

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In Re: N.L., No. 18-0745 (Monroe 18-JA-3)
Affirmed (5-0)

In Re: J.B., No. 18-0774 (Harrison 2017-JA-45)
Affirmed (5-0)

Ronald S. v. Donnie Ames, Superintendent, No. 17-1099 (Berkeley 14-C-655)
Affirmed (5-0)

Jason Payne v. Donnie Ames, Superintendent, No. 17-0730 (Morgan 12-P-50)
Affirmed (5-0)

Teddy A. v. Angela A., No. 18-0084 (Kanawha 16-D-361)
Affirmed (5-0)

In Re: K.S., No. 18-0059 (Wood 17-JD-43)
Affirmed (5-0)

Jaymason Robinson v. Russell Maston, Superintendent, No. 17-1029 (Wood 14-P-59)
Affirmed (5-0)

RULE 19 ARGUMENT GRANTED

The following cases will be scheduled for Rule 19 oral argument:

Terry Brumfield, Jr. v. Jennings Workman, Jr., No. 18-0109 (Logan 13-C-168)

James Dailey, III, et al. v. Ayers Land Deveopment, et al., No. 18-0040 (Berkeley 15-C-59)

Joseph Cantrell, et al. v. Jefferson Cantrell, et al., No. 18-0181 (Mingo 15-C-55)

Employee Resource Group, et al. v. Anita Collins, No. 18-0007 (Mingo 16-C-214)

Tri-State Pipeline, Inc. v. Jason Steorts, et al., No. 18-0183 (Kanawha 13-C-2324)

Certegy Check Services v. Janice Fuller, No. 17-0972 (Mercer 17-C-147)

Christopher Hild v. Michael Martin, Superintendent, No. 17-1001 (Mercer 13-C-82)

RULE 20 ARGUMENT GRANTED

The following cases will be scheduled for Rule 20 oral argument:

Penn Virginia Operating Co., LLC v. Assessor of Randolph County, et al., No. 18-0019
(Randolph 16-C-33, Barbour 16-AA-2, Upshur 16-C-15)

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City of Martinsburg v. Berkley County Council and Berkeley County Building Commission, No. 18-0182 (Berkeley 17-C-461)

State of West Virginia v. Daniel Beck, No. 18-0936 (Certified Question)

State Tax Commissioner v. Consol Energy, Inc., No. 18-0121 (BCD – Lewis 17-C-11)

State Tax Commissioner v. Consol Energy, Inc., No. 18-0122 (BCD – McDowell 16-C-135)

State Tax Commissioner v. Consol Energy, Inc., No. 18-0123 (BCD – Doddridge 17-AA-2)

State Tax Commissioner v. Antero Resources Corporation, No. 18-0124 (BCD – Ritchie 17-AA-1)

State Tax Commissioner v. Antero Resources Corporation, No. 18-0125

(BCD – Doddridge 17-AA-1, 17-AA-3)

Doddridge County Commission v. Consol Energy, Inc., No. 18-0227 (BCD – Doddridge 17-AA-2)

Doddridge County Commission v. Antero Resources Corporation, No. 18-0228 (BCD –

Doddridge 17-AA-1, 17-AA-3)

Docket Nos. 18-0121, 18-0122, 18-0123, 18-0124, 18-0125, 18-0227, and 18-0228 have been consolidated for purposes of oral argument, consideration, and decision.

W. Richard Staton v. William Ward, No. 18-0145 (Ohio 16-C-368)

Murray Energy Corporation v. State Tax Commissioner, No. 18-0018 (Marshall 16-P-16)

James Young, Jr. v. State of West Virginia and Debra Ditto, Magistrate, No. 17-0992 (Morgan 17-P-29)

Nicole L. v. Steven W., No. 18-0025 (Harrison 16-D-225-5)

Jennifer H. v. Jason G., No. 18-0117 (Kanawha 16-D-1594)

ORDERS

Orders of note were entered in the following cases:

State of West Virginia v. Brandon S., No. 18-0606

Rule to Show Cause in Contempt issued against William T. Rice, Esq.

In Re: H.G. and K.G., No. 18-0743

Rule to Show Cause in Contempt issued against Darren R. Queen, Esq.

State of West Virginia v. J.C., No. 17-0713 (Berkeley CC-02-2017\17-JD-30)

Motion for Stay granted (5-0)

Office of Disciplinary Counsel v. J. Michael Cassell, No. 18-0067 (Lawyer Disciplinary)

License to practice law annulled (5-0)

Lawyer Disciplinary Board v. Mark Allen Glover, No. 18-0093 (Lawyer Disciplinary)

License to practice law suspended for 42 months and reprimanded (4-0) (Justice Armstead not participating)

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Lawyer Disciplinary Board v. Melissa D. Davis, No. 18-0112 (Lawyer Disciplinary)
License to practice law suspended for 3 months and other sanctions. (5-0)

Lawyer Disciplinary Board v. Jeffrey S. Rodgers, No. 18-0092 (Lawyer Disciplinary)
Reprimanded (5-0)

State ex rel. Robert J. Leonard v. Hon. David J. Sims, Judge, et al., No. 18-0966
(Original Prohibition)
Petition refused (5-0)

Ned Gipson v. State of West Virginia, No. 18-0826 (Certified Question)
Decline to docket (5-0)

State ex rel. Alan Hicks v. Hon. Joseph K. Reeder, Judge, No. 18-0435 (Original Mandamus)
Rule to show cause issued returnable February 6, 2019, unless sooner mooted.

State ex rel. Christopher Shy v. John Sheeley, Administrator, No. 18-0453 (Original Habeas)
Petition refused (5-0)

Certegy Check Services v. Janice Fuller, No. 17-0972 (Mercer 17-C-147)
Motion to dismiss denied (5-0)